

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-19 will be pending. By this amendment, claims 1, 9, and 11 have been amended; and claims 17-19 have been added. No new matter has been added.

§112 Rejection of Claims 1-11

In Section 5 of the Office Action, the Examiner has rejected claims 1-11 under 35 U.S.C. §112, second paragraph. Claims 1, 9, and 11 have been amended to obviate this rejection.

Accordingly, it is submitted that the Examiner's rejection of claims 1-11 based upon 35 U.S.C. §112 has been overcome and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 1-16

In Section 6 of the Office Action, the Examiner has rejected claims 1-16 under 35 U.S.C. §103(a) as being unpatentable over Sull (U.S. Patent Application No. 2002/0069218), in view of Applicant's admitted prior art. This rejection is respectfully traversed.

Although it is indicated that each element of claim 1 is obvious, it is maintained that when the elements of claim 1 are combined, claim 1 as whole is non-obvious. Thus, the synergistic effect of the interaction of the features of claim 1 and the context in which the UMID is employed give rise to a combined technical effect that provides the basis for the non-obviousness.

In particular, the use of a UMID as an index for each video material item together with the use of metadata to correlate video material items with a search query and providing for accessibility of the video material items through a URL, specifically associated with the UMID, provides a particularly efficient way of correlating and retrieving video material items that are stored on a distributed information system such as the Internet. Furthermore, the use of a markup language having descriptors for data content to communicate the URL, UMID, and metadata associated with detected video material items between client and server allows for platform and vendor independence of the system for communicating search results between client and server.

In Section 6 of the Office Action, it further indicated that the skilled person would have been motivated to modify the system of Sull to use the UMID as a different type of identifier for retrieval of video material. However, in arguing that Sull discloses all of the features of claim 1 with the exception of the UMID, the Examiner makes reference to different paragraphs of Sull in relation to each claim element without regard to the particular embodiments to which those paragraphs relate. Thus, it is maintained that the Examiner has not shown any motivation for the skilled person to combine different embodiments indicated in Sull in such a way as to result in a system as described in claim 1.

The Examiner makes reference to (at least) the following distinct embodiments in the paragraphs cited in relation to the elements of claim 1:

- (a) an embodiment that enables searching for relevant multimedia content based on at least one feature saved in a multimedia bookmark in response to user selection of the multimedia bookmark. See Sull para 060. *Cited paragraphs [0176-0177], [0221-0222]*

- (b) an embodiment that enables browsing of information associated with a particular video recording by downloading of metadata or extracting metadata from an electronic program guide (EPG). See Sull para 0017. *Cited paragraphs [0327-0329]*
- (c) an embodiment that enables adaptive refresh rewinding using either a multimedia bookmark corresponding to a termination position of previously viewed content or refresh frames selected over a rewind scope. See Sull para 056. *Cited paragraphs [0316-0319]*
- (d) A virtual video editing embodiment which, rather than editing the computer-stored video files themselves edits metadata files associated with the input videos. See Sull para 031. *Cited paragraphs Figs 36-39 (associated description being paragraphs 0461 and 0474-0476)*

The Examiner has provided no explanation as to the motivation of the skilled person to combine the features of the above distinct embodiments to arrive at claim 1.

Claim 1 provides a video information management system that facilitates unrestricted access to as many video archives as possible via a single search query yet allows for efficient use of bandwidth and reliable indexing of video material. The Applicants consider that embodiment of Sull that is most relevant to the present invention is embodiment (a) above, which relates to searching for relevant multimedia content based on at least one feature saved in a multimedia bookmark. Embodiment (a) is most relevant since it is directed to a similar technical problem and has the most features in common with the present invention.

In particular the Examiner asserts that Sull [0221-0222] discloses the feature of claim 1 whereby the server system has (i) “*access to one or more databases containing metadata information relating to a plurality of video material items, a UMID associated with each video*

material item and at least one URL associated with each UMID". These paragraphs of Sull disclose searching for relevant multimedia content based on audio-visual features as well as textual features saved in a multimedia bookmark. The textual features may correspond to metadata that is accessed using positional information such as a URL. However, it is noted that the association between a UMID and a URL specified in this element of the claim is neither disclosed nor suggested by Sull or by Applicant's admitted prior art in page 6 of the specification.

With regard to the element of claim 1 that specifies that the server system has *(ii) means for receiving a search request from the client system and detecting one or more video material items for which metadata information stored in at least one of said databases substantially corresponds to said search request*, the Examiner made reference to embodiment (b) above (in particular, Sull [0329]). Paragraph 0329 of Sull discloses a set-top box having a personal video recorder (PVR). The PVR is set to record a predetermined broadcast TV program and, in addition, to download metadata for browsing the recorded program from a remote metadata server. Thus, contrary to the assertion of the Examiner, this portion of Sull does not teach detecting of video material items to which the metadata information corresponds but rather discloses the detection of remote metadata corresponding to a particular *predetermined* video sequence, *i.e.*, the recorded broadcast program.

However, even if paragraph 0329 of Sull did disclose this element of claim 1, the skilled person would have no motivation to combine the metadata browsing feature of the embodiment (b) with the disclosure of Sull [0221-0222] in relation to embodiment (a) with regard to the server having access to one or more databases containing metadata information relating to a plurality of video material items. This would be the result since, in the metadata browsing

embodiment, there is no need to locate video material items via a search request as in embodiment (a) since the video material to which the metadata relates is a predetermined video sequence of broadcast material.

With regard to the element of claim 1 that specifies that the server has “*means for supplying said metadata information, said URL and said UMID relating to said one or more detected video material items to said client system*”, the Examiner makes reference to the adaptive refresh rewind embodiment (c) of Sull [0316-0319]. These paragraphs of Sull relate to a system for use in the event that during playback a video is paused, terminated, or otherwise interrupted. Paragraph 00316 of Sull discloses that the network server creates and stores a bookmark using termination position information received from the client. Paragraphs 00317-00319 discloses how the network server selects a series of refresh frames together with the previous termination position back to the client system.

The cited paragraphs of Sull do not disclose that the server has means for supplying metadata information and a URL relating to detected video items to the client system. Sull teaches away from supplying the bookmark (URL) to the client system since paragraph 00316 teaches that the bookmark is stored at the network server (see also paragraph 00315). Furthermore, paragraphs 00317 to 00319 disclose only that refresh frames and a termination position is sent to the client and does not disclose that either metadata or a URL relating to video images are supplied to the client system.

Even if paragraphs [00316-00319] of Sull did disclose the specified feature of claim 1, the skilled person would have no motivation to combine the features of the adaptive rewind embodiment (c) of Sull with the multimedia bookmark search embodiment (a) since the adaptive rewind embodiment relates to identifying a previous viewing termination position in a

predetermined sequence of video images and does not involve searching for video material according to its content as does embodiment (a) and the present invention.

With regard to the element of claim 1 that specifies that “*said metadata, said URL and said UMID are communicated between said server and said client using a markup language having descriptors for data content*”, the Examiner makes reference to the virtual video editing embodiment (d) of Sull, in particular, Figures 36 to 39. Figs 36, 37 and 38 are descriptors of metafiles for three different input video sequences described using XML (extensible markup language). Each metafile contains the URL to the corresponding video and there is metadata associated with each pre-defined segment of the video. Fig 39 is a representation of a metafile in XML produced as a result of virtually editing the three input video sequences.

Although these Sull metafiles are written in a markup language having descriptors for data content and comprise a URL corresponding to the associated video sequence, Sull does not disclose that the metafiles of Figures 36-39 are communicated between the server and the client in XML format. Furthermore, the metadata and UMID relate to predetermined video sequences for editing and do not relate to video material items detected in response to a search request from the client system. Accordingly, even if Figures 36-39 did disclose this element of claim 1, the skilled person would not be motivated to combine embodiments (a) and (d) of Sull since Sull teaches only that the purpose of the XML metafiles in embodiment (d) is to obviate the need to edit the video fields themselves by instead editing the descriptive metafile.

Thus, contrary to the assertion of the Examiner, Sull does not disclose all of the features of claim 1 with the exception of the UMID. Furthermore, even if the paragraphs of Sull specifically cited by the Examiner did disclose the subject-matter of the corresponding claim

features, there would be no motivation for the skilled person to combine the features of the (at least) four distinct embodiments of Sull to which the Examiner has made reference.

Furthermore, although it is acknowledged on page 6 of the specification that the UMID *per se* is known, it would not have been obvious to the skilled person to use the UMID in combination with the other claim features in the particular manner specified in claim 1, to solve the technical problem of providing a video information management system that facilitates unrestricted access to as many video archives as possible via a single search query yet allows for efficient use of bandwidth and reliable indexing of video material.

Based on the foregoing discussion, it is maintained that claim 1 should be allowable over the combination of Sull and Applicant's admitted prior art. Furthermore, since independent claims 10, 11, and 12 closely parallel, and include substantially similar limitations as, independent claim 1, claims 10, 11, and 12 should also be allowable over the combination of Sull and Applicant's admitted prior art. Since claims 2-9 and 13-16 depend from claims 1 and 12, respectively, claims 2-9 and 13-16 should also be allowable over the combination of Sull and Applicant's admitted prior art.

Accordingly, it is submitted that the Examiner's rejection of claims 1-16 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Newly-added claims 17-19

Since newly-added claims 17-19 closely parallel, and include substantially similar limitations as, independent claim 1, claims 17-19 should also be allowable over the cited prior art references.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-19 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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